



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
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ANN ARBOR, MICHIGAN 48105-2498

OFFICE OF  
AIR AND RADIATION

December 12, 2002

CCD-02-19 (LDV/LDT/ICI/HD-HWY/

Dear Manufacturer:

**Subject: Interim Guidance for Certifying 2004 Model Year Federal OBD Systems Complying with California Air Resources Board On-Board Diagnostic, Second Generation Requirements in Title 13 California Code of Regulations Section 1968.2**

Current federal On-Board Diagnostic (OBD) regulations, contained in 40 CFR §86.005-17 and 40 CFR §86.1806-01, allow manufacturers to satisfy federal OBD requirements by installing OBD systems compliant with the California Air Resources Board's (CARB's) On-Board Diagnostic, Second Generation (OBD II) regulations in Title 13, California Code of Regulations (CCR) 1968.1 "Malfunction and Diagnostic System Requirements for 2004 and Subsequent Model - Year Passenger Cars, Light-Duty trucks, and Medium-Duty Vehicles and Engines (OBD II)." CARB is currently revising their OBD II requirements as described in Title 13 CCR 1968.2 "Modifications to Malfunction and Diagnostic System Requirements for 2004 and Subsequent Model - Year Passenger Cars, Light-Duty trucks, and Medium-Duty Vehicles and Engines (OBD II)".

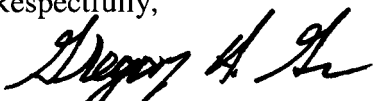
To allow the acceptance of the revised CARB OBD II regulations, EPA must revise its own regulation to incorporate the new reference to CARB's regulations (Title 13 CCR 1968.2). Until this takes place, manufacturers are technically not allowed to certify federally using the new CARB OBD II regulations. OBD II systems that fulfill the requirements of Title 13 CCR 1968.2 most likely, but may not in some limited cases, fulfill all of the requirements of Title 13 CCR 1968.1.

Therefore, EPA has developed the following interim policy to deal with 2004 Model Year certification requests received prior to publication of EPA's final rulemaking incorporating CARB's new OBD II regulations. All federal certification requests that include a California Executive Order based on compliance with the new CARB OBD II regulations can demonstrate compliance with federal OBD requirements by including a statement from the manufacturer that the OBD system meets the full *intent* of both the Clean Air Act as amended in 1990, section 202(m), and the applicable federal OBD regulations contained in 40 CFR §86.005-17 and 40 CFR §86.1806-01, including a reference to those provisions pertaining to deficiencies in the limited instances where an OBDII system that complies with 1968.2 does not comply with all the requirements of section 1968.1. Please note that such a statement should be provided for each and every certification application that is based on compliance with the new CARB OBD II regulations. EPA may not issue

a certificate without such a statement. Once EPA publishes its amended OBD regulations, such a compliance statement will no longer be necessary.

If you have any questions concerning this letter or the status of our OBD rulemaking development efforts, please contact Arvon L. Mitcham of my staff at (734) 214-4522.

Respectfully,

A handwritten signature in black ink, appearing to read "Gregory A. Green", written in a cursive style.

Gregory A. Green, Director  
Certification and Compliance Division  
Office of Transportation and Air Quality  
United States Environmental Protection Agency